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Missouri State Auditor

FOLLOW-UP REPORT ON AUDIT FINDINGS

Sex Offender Registration

Report No. 2019-056

July 2019

auditor.mo.gov

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*Includes selected findings



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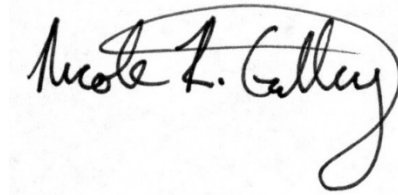
Missouri State Auditor

Honorable Michael L. Parson, Governor
and
Members of the General Assembly
and
Anne L. Precythe, Director
Department of Corrections
and
Julie Kempker, Chief State Supervisor
Division of Probation and Parole
and
Sandra K. Karsten, Director
Department of Public Safety
and
Colonel Eric T. Olson, Superintendent
Missouri State Highway Patrol
Jefferson City, Missouri

We have conducted follow-up work on certain audit report findings contained in Report No. 2018-106, *Sex Offender Registration*, issued in October 2018, pursuant to the Auditor's Follow-Up Team to Effect Recommendations (AFTER) program. The objectives of the AFTER program are to:

1. Identify audit report findings for which follow up is considered necessary, and inform government officials with sex offender registration responsibilities about the follow-up review on those findings.
2. Identify and provide status information for each recommendation reviewed. The status of each recommendation reviewed will be one of the following:
 - **Implemented:** Auditee fully implemented the recommendation, either as described in the report or in a manner that resolved the underlying issue.
 - **In Progress:** Auditee has specific plans to begin, or has begun, to implement and intends to fully implement the recommendation.
 - **Partially Implemented:** Auditee implemented the recommendation in part, but is not making efforts to fully implement it.
 - **Not Implemented:** Auditee has not implemented the recommendation and has no specific plans to implement the recommendation.

As part of the AFTER work conducted, we reviewed documentation provided by MSHP officials and held discussions with these officials. Documentation provided by the MSHP included outstanding warrant data and sex offender registration data as of February 27, 2019, and the MSHP's internal operating procedures. This report is a summary of the results of this follow-up work, which was substantially completed during March and April 2019.

A handwritten signature in black ink, reading "Nicole R. Galloway". The signature is fluid and cursive, with a large loop at the end of the last name.

Nicole R. Galloway, CPA
State Auditor

Sex Offender Registration

Follow-Up Report on Audit Findings

Status of Findings

1. Weaknesses Exist in the Enforcement of Registry Requirements	Chief Law Enforcement Officials (CLEOs) did not adequately pursue noncompliant offenders. As a result, approximately 1,300 sex offenders, including approximately 800 of the most dangerous classification of sex offenders, were not in compliance with sex offender registration (SOR) reporting requirements and their locations were unknown. Arrest warrants were not issued for the majority of these noncompliant sex offenders. In addition, CLEOs did not always require sex offenders to register in intervals required by state law and CLEOs do not always properly update the SOR registration system to identify absconding offenders. These issues resulted in some sex offenders being incorrectly identified as compliant within the SOR management system and the Missouri State Highway Patrol's (MSHP) public website.
1.1 Inadequate enforcement of sex offender requirements	The enforcement of sex offender registration requirements by CLEOs was not adequate. According to the SOR database maintained by the MSHP, 1,259 (7.9 percent) registered sex offenders were noncompliant with SOR requirements as of February 14, 2018.
Arrest warrants not being issued	Arrest warrants were not issued for approximately 91 percent of noncompliant sex offenders. We obtained a listing of outstanding warrants in April 2018 from the MSHP's Missouri Uniform Law Enforcement System (MULES) and noted that only approximately 9 percent of offenders identified as noncompliant as of the data extraction date had an active arrest warrant for noncompliance with registry requirements.
Absconder status	CLEOs did not adequately update the status of noncompliant offenders as absconders in the SOR management system. Of the 1,259 noncompliant offenders, only 239 (19 percent) were classified as absconders. However, many of these offenders were listed as noncompliant for an extended period of time without their status being updated to absconder and/or an arrest warrant being obtained for their arrest.
Recommendation	To the Chief Law Enforcement Officials of counties and the City of St. Louis: Ensure follow-up actions are taken when noncompliant sex offenders violate registration requirements and properly update the SOR management system. In addition, when follow-up actions are not successful, pursue arrest warrants to help apprehend noncompliant offenders.
Status	In Progress The number of noncompliant sex offenders has decreased since the issuance of the audit report on October 1, 2018. We obtained the MSHP's SOR database as of February 27, 2019, and determined the number of noncompliant sex offenders had decreased by 259 (21 percent), to a total of



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1,000¹ offenders. More than half of the decrease in noncompliant offenders can be attributed to reductions in Jackson County and St. Louis City. See Appendix A for a breakdown of noncompliant offenders by county. In addition, the numbers of offenders classified as absconders has also increased, which suggests CLEOs have increased follow-up efforts of noncompliant offenders and updated the SOR database. Noncompliant offenders classified as absconders totaled 389 as of February 27, 2019, which is an increase of 150 since February 14, 2018. The percentage of noncompliant offenders classified as absconders more than doubled during the same time period, increasing from 19 percent to 39 percent.

The number of outstanding arrest warrants for noncompliance with sex offender registration requirements has also increased. The audit report indicated approximately 9 percent of noncompliant sex offenders had an outstanding warrant for noncompliance with registry requirements as of April 2018. For comparison, we obtained an updated listing of outstanding warrants and compared this listing with MSHP's sex offender registration database as of February 27, 2019. We determined that 195 noncompliant sex offenders (20 percent) had an outstanding warrant for noncompliance with registration requirements as of February 27, 2019. Of these 195 outstanding warrants, 96 (49 percent) had a warrant issuance date after the release of our audit report on October 1, 2018.

1.2 Registration dates

CLEOs did not always schedule the next registration dates for sex offenders in accordance with state law. In addition, due to errors entered by CLEOs in the next registration date field, some sex offenders avoided registration requirements while being identified as compliant within the SOR management system and the MSHP's public notification website.

We reviewed the next scheduled registration dates and the most recent registration dates for offenders identified as compliant within the SOR management system and noted 266 offenders had a scheduled next registration date 30 days greater than the applicable 6 month or 90 day interval required by state law.

¹ The MSHP's SOR database vendor implemented changes to the SOR management system's method of reclassifying offenders from compliant status to noncompliant status on February 27, 2019, as described in the status comments of finding number 2.1. In order for the data to be in a format that is comparable to the data in the audit report, we used the methodology in the system prior to the system change to determine the number of noncompliant offenders (1,000 offenders). The total number of noncompliant sex offenders after the SOR system's modification was 1,234.



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Recommendation

To the Chief Law Enforcement Officials of counties and the City of St. Louis:

Ensure sex offenders are scheduled for registration dates in accordance with statutorily required intervals.

Status

In Progress

Section 589.414, RSMo, was amended effective August 28, 2019, to modify the registration intervals to every 90 days, 6 months, or annually depending on the tier level assigned to the offender. We examined the next registration dates and most recent in-person registration dates for compliant offenders in the SOR management system as of February 27, 2019.

We determined 354 offenders had a scheduled next registration date 30 days greater than the applicable statutory interval, an increase of 33 percent from data in our audit report. This gives the appearance that the number of offenders listed as noncompliant may be understated. However, in some cases, it appears the most recent in-person registration dates have not been properly updated by CLEOs; therefore, no actual noncompliance with registration intervals occurred for those cases. In other cases, it appears the registering CLEO erroneously scheduled the next registration date in excess of the statutorily-required interval. For example, we noted a likely typographical error that caused an offender to be scheduled a next registration date in May 2109, instead of May 2019.

In addition, the database indicated 709 active sex offenders did not have a tier listed in the database as a result of some CLEOs not properly updating the database. For these offenders, a calculation of whether the CLEOs scheduled the offenders' next registration dates in compliance with state law could not be conducted because the proper registration intervals could not be readily determined.

While there has been no improvement in this area, as indicated by the MSHP's response to the audit report, the MSHP plans to include an edit check in the next SOR management system that will prevent CLEOs from scheduling registration dates greater than 30 days in excess of the statutory requirements.

2. Missouri State Highway Patrol Procedures

MSHP procedures for maintaining the SOR database and supporting CLEOs' efforts to enforce SOR requirements needed improvement.

2.1 MSHP database not updated timely

The MSHP did not always update the compliance status of offenders within the SOR management system in accordance with internal policies. The MSHP maintained the SOR management system and MSHP procedures indicated the system was to run a batch job once per day that updated the compliance status of an offender. This change of status was to occur if the offender had not



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registered within 7 days of the offender's next scheduled registration date entered by CLEOs.

The MSHP's SOR database contained 342 individuals classified as compliant when they should have been listed as noncompliant.

Recommendation

To the Highway Patrol:

Ensure the SOR database is updated in accordance with internal policy to accurately reflect the compliance status of sex offenders.

Status

Implemented

The MSHP's SOR database vendor modified the SOR management system's business rules to require an offender listed as compliant to be switched to noncompliant if the offender did not check in within 7 days of the scheduled registration date. This change is in agreement with the MSHP's internal policies and resulted in 234 additional sex offenders being identified as noncompliant on February 27, 2019.

2.2 Data matches

The MSHP had not established agreements with other state agencies to perform batch data matches to assist CLEOs' enforcement of SOR requirements. Such data matches would have helped CLEOs locate noncompliant offenders and identify deceased offenders.

Recommendation

To the Highway Patrol:

Obtain agreements with other state agencies that allow for batch data-matching to assist CLEOs pursue noncompliant offenders.

Status

Partially Implemented

As indicated in the MSHP's response to the audit report, the MSHP entered into an agreement with the DHSS to perform batch data-matches against death records for internal use on June 22, 2018. The MSHP considers additional batch data-matching to be of limited usefulness and does not plan to pursue additional agreements to expand the agency's batch data-matching capabilities unless requested by local law enforcement agencies. The agency plans to continue using existing agreements with the Department of Labor and Industrial Relations, the Department of Revenue, and other sources to provide assistance locating noncompliant sex offenders when requested by CLEOs.

2.3 SOR management system edit checks

The SOR management system maintained by the MSHP did not utilize adequate edit checks to identify inaccurate or inappropriate information entered by the CLEOs. The lack of adequate edit checks contributed to the following errors within the SOR database:



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- Due to typographical errors by CLEOs, the next registration dates for some offenders were scheduled far into the future. For instance, some next registration dates included the years 2105, 2104, 2022, 2108, and 2107. In one case, a sex offender was incorrectly identified as compliant for approximately 2.5 years due to a CLEO's likely typographical error in the next registration date field.
- The offenders' most recent registration dates were not always accurately entered by CLEOs. Our review noted that 16 of the 25 (64 percent) registration dates reviewed were incorrect based on documentation provided by the MSHP.
- Edit checks were not in place to prevent duplicate or invalid Social Security Number (SSN) sequences from being submitted by offenders and then entered by CLEOs into the SOR database. We noted two offenders were registered using the same SSN while other offenders were registered with invalid SSN sequences, including two offenders registered with the invalid sequence of "999-99-9999."

Recommendation

To the Highway Patrol:

Ensure the new sex offender system includes adequate edit-checks to limit the input of incorrect and/or inappropriate data.

Status

In progress

The MSHP is currently implementing a new sex offender registration system. The MSHP's new system requires all data fields to comply with MSHP specifications. As noted in the MSHP's response to the audit report, the MSHP plans to request edit checks to ensure properly formatted SSN submissions and require edit checks that will limit the entry of future registration dates exceeding thirty days outside the statutory registration intervals.

**3.2 Weaknesses in State
Laws - School volunteer
background checks**

State law did not require background checks for school volunteers. Section 168.133, RSMo, required background checks for school employees, but did not require background checks for school volunteers.

Recommendation

The General Assembly consider amending state law to require school volunteers with access to students to receive background checks that include a check against the sex offender registry database.



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Status

Implemented

House Bill 604 , First Regular Session, 100th General Assembly (2019), was recently passed by the General Assembly and signed into law by the Governor on July 11, 2019. Effective August 28, 2019, Section 168.133, RSMo, will be amended to require school districts to ensure screened volunteers undergo criminal background checks. Screened volunteers include office or library assistants, student mentors or tutors, coaches, and supervisors of activities occurring before or after school. School districts will also be prohibited from allowing unscreened volunteers to be left alone with a student.



Appendix A
Follow-up Report on Audit Findings
Sex Offender Data by County, as of February 27, 2019

This data is from the sex offender registry database as of February 27, 2019. Totals are based on offender county of residence as recorded in the database and excludes offenders with no identified county of residence. See Appendixes B, C, and D for depictions of this data in map form. Comparable data from the previous audit report is presented at Appendix F.

County	Number of Offenders	Number Compliant	Number Noncompliant	Percent Noncompliant
Adair	71	71	0	0.0%
Andrew	34	34	0	0.0%
Atchison	11	11	0	0.0%
Audrain	95	94	1	1.1%
Barry	106	106	0	0.0%
Barton	35	35	0	0.0%
Bates	59	55	4	6.8%
Benton	77	75	2	2.6%
Bollinger	46	44	2	4.3%
Boone	327	321	6	1.8%
Buchanan	294	283	11	3.7%
Butler	205	180	25	12.2%
Caldwell	33	33	0	0.0%
Callaway	152	151	1	0.7%
Camden	124	123	1	0.8%
Cape Girardeau	198	189	9	4.5%
Carroll	35	35	0	0.0%
Carter	27	27	0	0.0%
Cass	164	154	10	6.1%
Cedar	52	49	3	5.8%
Chariton	15	14	1	6.7%
Christian	122	120	2	1.6%
Clark	16	16	0	0.0%
Clay	375	372	3	0.8%
Clinton	57	56	1	1.8%
Cole	148	146	2	1.4%
Cooper	51	51	0	0.0%
Crawford	105	102	3	2.9%
Dade	26	25	1	3.8%
Dallas ²	69	49	20	29.0%
Daviess	26	26	0	0.0%
DeKalb	28	28	0	0.0%

² Due to the significant increase in noncompliant totals from the previous report, we contacted the Dallas County Sheriff's Office. Officials indicated the large increase was the result of technical difficulties regarding the sending of SOR forms to the MSHP. Officials indicated the issue was corrected in March 2019. As of June 10, 2019, the online database showed 5 noncompliant offenders.



Appendix A
Follow-up Report on Audit Findings
Sex Offender Data by County, as of February 27, 2019

County	Number of Offenders	Number Compliant	Number Noncompliant	Percent Noncompliant
Dent	61	58	3	4.9%
Douglas	48	45	3	6.3%
Dunklin	139	132	7	5.0%
Franklin	285	278	7	2.5%
Gasconade	35	32	3	8.6%
Gentry	9	9	0	0.0%
Greene	804	779	25	3.1%
Grundy	24	24	0	0.0%
Harrison	28	28	0	0.0%
Henry	91	88	3	3.3%
Hickory	44	44	0	0.0%
Holt	15	15	0	0.0%
Howard	37	34	3	8.1%
Howell	145	143	2	1.4%
Iron	41	40	1	2.4%
Jackson	2,075	1,714	361	17.4%
Jasper	315	308	7	2.2%
Jefferson	470	451	19	4.0%
Johnson	97	94	3	3.1%
Knox	13	13	0	0.0%
Laclede	177	177	0	0.0%
Lafayette	76	76	0	0.0%
Lawrence	123	102	21	17.1%
Lewis	31	27	4	12.9%
Lincoln	181	180	1	0.6%
Linn	42	40	2	4.8%
Livingston	38	38	0	0.0%
Macon	47	47	0	0.0%
Madison	59	59	0	0.0%
Maries	21	17	4	19.0%
Marion	112	109	3	2.7%
McDonald	91	90	1	1.1%
Mercer	12	11	1	8.3%
Miller	101	97	4	4.0%
Mississippi	47	42	5	10.6%
Moniteau	35	33	2	5.7%
Monroe	37	37	0	0.0%
Montgomery	40	37	3	7.5%
Morgan	130	129	1	0.8%
New Madrid	80	79	1	1.3%
Newton	172	171	1	0.6%
Nodaway	37	37	0	0.0%
Oregon	30	30	0	0.0%



Appendix A
Follow-up Report on Audit Findings
Sex Offender Data by County, as of February 27, 2019

County	Number of Offenders	Number Compliant	Number Noncompliant	Percent Noncompliant
Osage	28	23	5	17.9%
Ozark	25	23	2	8.0%
Pemiscot	90	84	6	6.7%
Perry	31	30	1	3.2%
Pettis	186	175	11	5.9%
Phelps	106	105	1	0.9%
Pike	44	43	1	2.3%
Platte	114	104	10	8.8%
Polk	99	97	2	2.0%
Pulaski	96	95	1	1.0%
Putnam	13	13	0	0.0%
Ralls	28	28	0	0.0%
Randolph	130	129	1	0.8%
Ray	70	62	8	11.4%
Reynolds	25	23	2	8.0%
Ripley	56	52	4	7.1%
St. Charles	378	372	6	1.6%
St. Clair	29	28	1	3.4%
St. Francois	313	302	11	3.5%
St. Louis	1,664	1,648	16	1.0%
Ste. Genevieve	56	55	1	1.8%
Saline	91	91	0	0.0%
Schuyler	17	17	0	0.0%
Scotland	7	6	1	14.3%
Scott	154	146	8	5.2%
Shannon	30	30	0	0.0%
Shelby	28	28	0	0.0%
Stoddard	126	110	16	12.7%
Stone	115	111	4	3.5%
Sullivan	32	32	0	0.0%
Taney	189	181	8	4.2%
Texas	77	76	1	1.3%
Vernon	71	69	2	2.8%
Warren	82	78	4	4.9%
Washington	107	99	8	7.5%
Wayne	52	50	2	3.8%
Webster	114	109	5	4.4%
Worth	5	5	0	0.0%
Wright	78	78	0	0.0%
St. Louis City	1,248	1,092	156	12.5%
Totals	15,882	14,968	914	5.8%

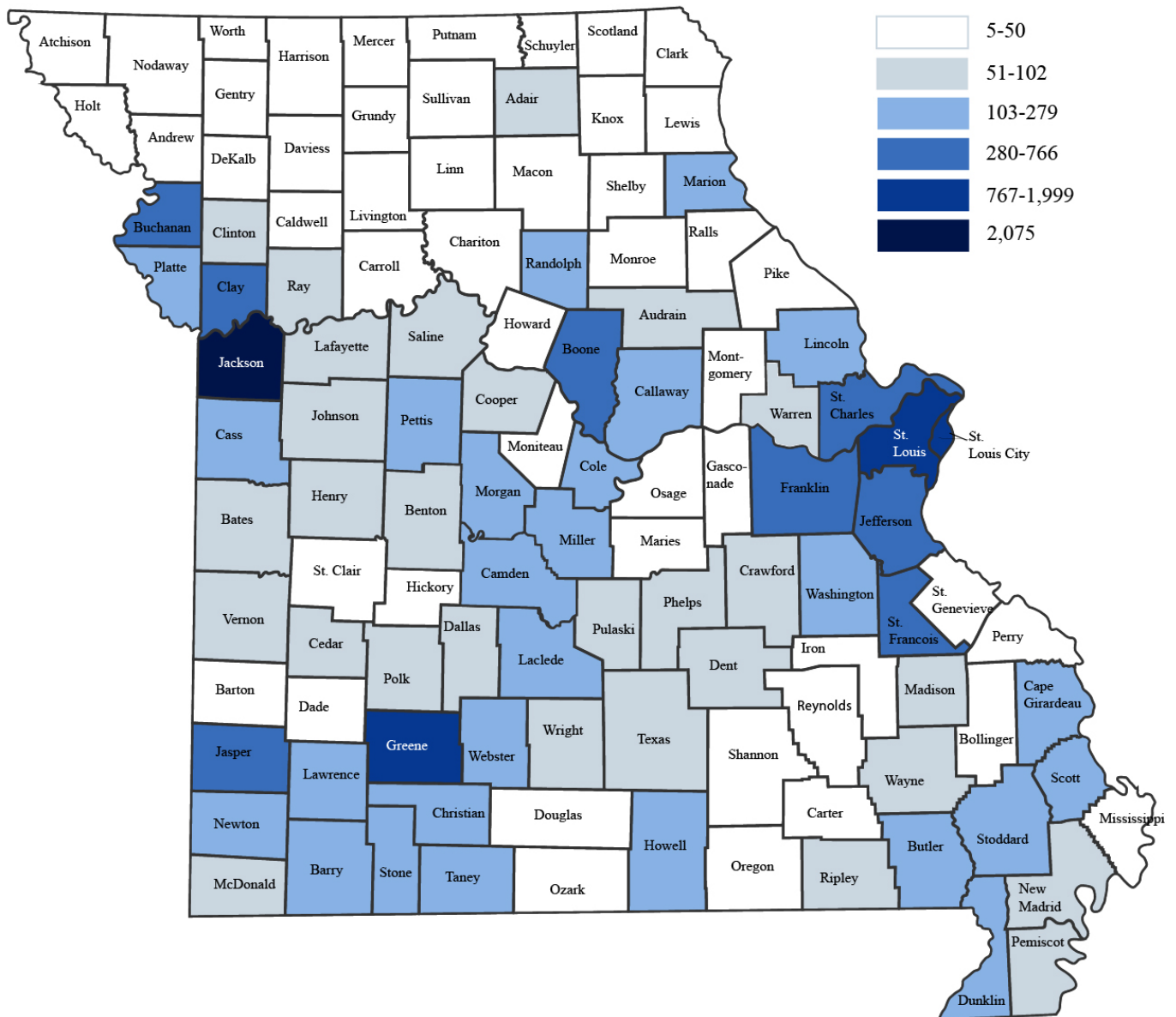


Appendix B

Follow-up Report on Audit Findings

Map of Registered Offenders by County

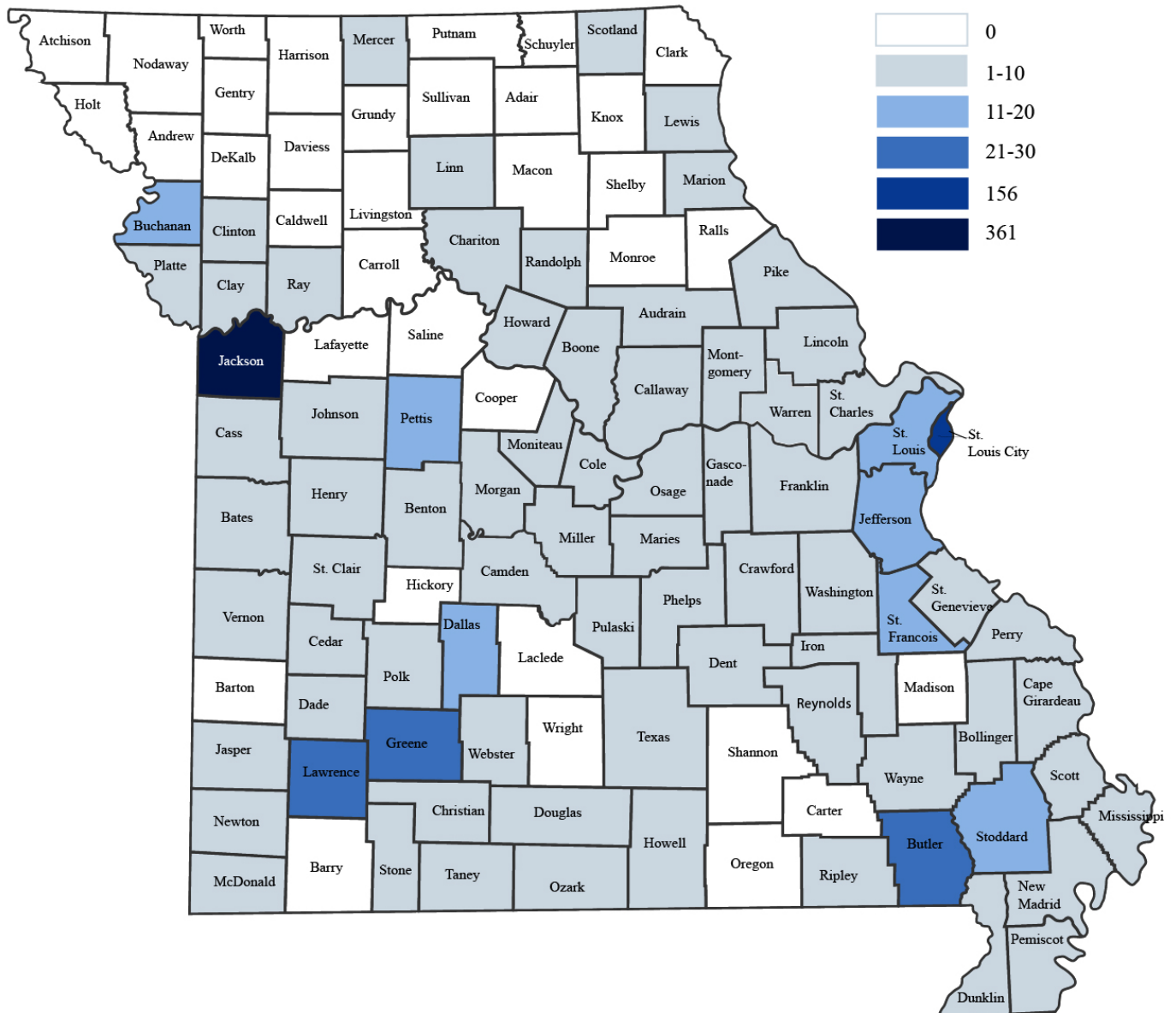
The map depicts the total number of registered sex offenders for each county and St. Louis City, based on the sex offender registry database as of February 27, 2019.





Appendix C
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Map of Noncompliant Offenders by County

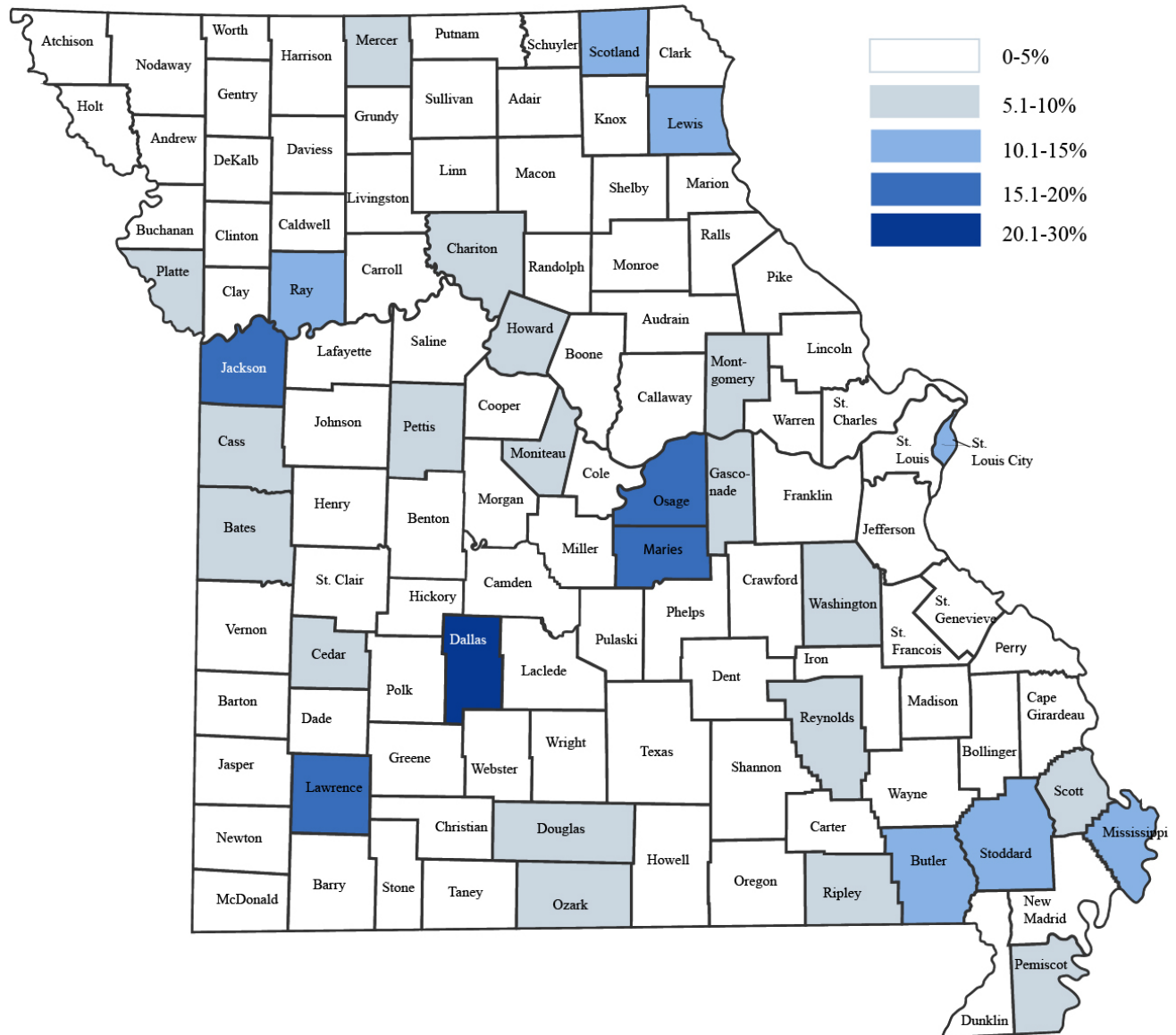
The map depicts the number of noncompliant sex offenders for each county and St. Louis City, based on the sex offender registry database as of February 27, 2019.





Appendix D
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Map of Noncompliant Offenders as a Percentage of Registered Offenders
by County

The map depicts the number of noncompliant offenders as a percentage of total registered sex offenders for each county and St. Louis City, based on the sex offender registry database as of February 27, 2019.



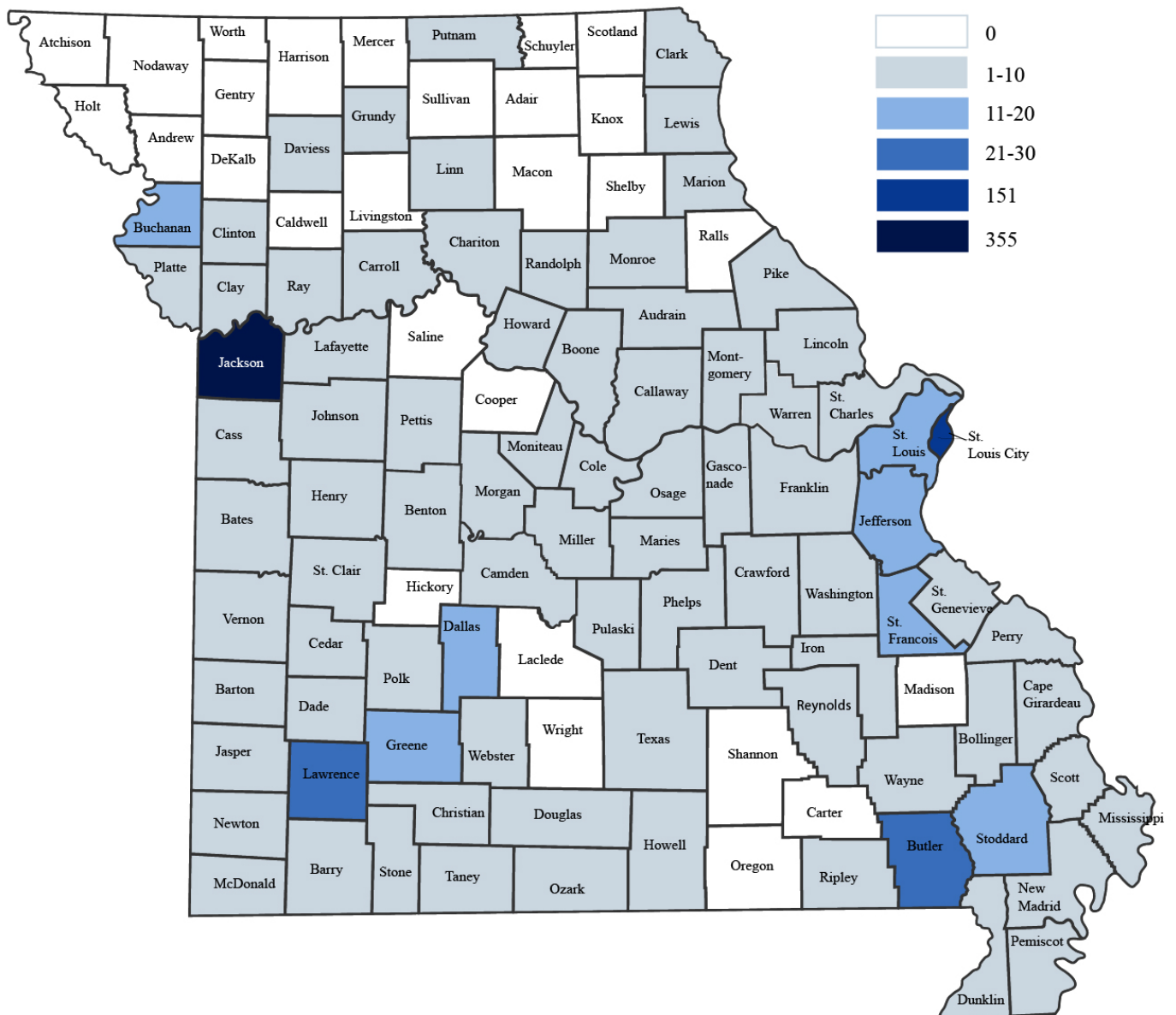


Appendix E

Follow-up Report on Audit Findings

Map of Noncompliant Tier III Offenders by County

The map depicts the number of Tier III offenders³ identified as noncompliant for each county and St. Louis City, based on the sex offender registry database as of February 27, 2019.



³ Tier III offenders are those who have committed the most serious offenses such as rape, sodomy, child molestation, sexual trafficking, incest, and the use or promotion of a child in a sexual performance. Tier III totals include offenders not assigned a tier by CLEOs in the sex offender registry database. The MSHP identifies offenders with no assigned tier as Tier III offenders on the MSHP's public website.



Appendix F
Follow-up Report on Audit Findings
Sex Offender Data by County, as of May 23, 2018

This data is from the sex offender registry database as of May 23, 2018, as presented in Report No. 2018-106, *Sex Offender Registration*. It is included for comparative purposes. More current data is presented in Appendix A.

County	Number of Offenders	Number Compliant	Number Noncompliant	Percent Noncompliant
Adair	65	64	1	1.5%
Andrew	35	35	0	0.0%
Atchison	13	12	1	7.7%
Audrain	93	93	0	0.0%
Barry	121	116	5	4.1%
Barton	35	32	3	8.6%
Bates	63	61	2	3.2%
Benton	72	69	3	4.2%
Bollinger	48	47	1	2.1%
Boone	325	317	8	2.5%
Buchanan	280	270	10	3.6%
Butler	215	172	43	20.0%
Caldwell	31	31	0	0.0%
Callaway	156	151	5	3.2%
Camden	129	127	2	1.6%
Cape Girardeau	182	170	12	6.6%
Carroll	35	33	2	5.7%
Carter	24	24	0	0.0%
Cass	167	144	23	13.8%
Cedar	51	45	6	11.8%
Chariton	17	16	1	5.9%
Christian	128	122	6	4.7%
Clark	17	16	1	5.9%
Clay	356	348	8	2.2%
Clinton	58	57	1	1.7%
Cole	141	140	1	0.7%
Cooper	51	47	4	7.8%
Crawford	96	91	5	5.2%
Dade	27	26	1	3.7%
Dallas	64	56	8	12.5%
Daviess	27	25	2	7.4%
DeKalb	25	25	0	0.0%
Dent	63	61	2	3.2%
Douglas	42	35	7	16.7%
Dunklin	137	120	17	12.4%
Franklin	282	272	10	3.5%
Gasconade	38	36	2	5.3%
Gentry	13	13	0	0.0%



Appendix F
Follow-up Report on Audit Findings
Sex Offender Data by County, as of May 23, 2018

County	Number of Offenders	Number Compliant	Number Noncompliant	Percent Noncompliant
Greene	767	747	20	2.6%
Grundy	28	25	3	10.7%
Harrison	25	25	0	0.0%
Henry	82	71	11	13.4%
Hickory	40	40	0	0.0%
Holt	15	15	0	0.0%
Howard	37	34	3	8.1%
Howell	132	129	3	2.3%
Iron	38	38	0	0.0%
Jackson	2,125	1,686	439	20.7%
Jasper	291	285	6	2.1%
Jefferson	474	459	15	3.2%
Johnson	94	93	1	1.1%
Knox	15	15	0	0.0%
Laclede	173	170	3	1.7%
Lafayette	71	70	1	1.4%
Lawrence	119	105	14	11.8%
Lewis	30	28	2	6.7%
Lincoln	179	177	2	1.1%
Linn	37	36	1	2.7%
Livingston	34	34	0	0.0%
Macon	45	45	0	0.0%
Madison	57	55	2	3.5%
Maries	20	19	1	5.0%
Marion	114	110	4	3.5%
McDonald	83	80	3	3.6%
Mercer	13	12	1	7.7%
Miller	103	98	5	4.9%
Mississippi	47	41	6	12.8%
Moniteau	33	31	2	6.1%
Monroe	36	34	2	5.6%
Montgomery	39	36	3	7.7%
Morgan	126	124	2	1.6%
New Madrid	71	70	1	1.4%
Newton	177	176	1	0.6%
Nodaway	38	37	1	2.6%
Oregon	34	33	1	2.9%
Osage	26	24	2	7.7%
Ozark	22	21	1	4.5%
Pemiscot	95	82	13	13.7%
Perry	29	29	0	0.0%
Pettis	160	146	14	8.8%
Phelps	95	94	1	1.1%



Appendix F
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Sex Offender Data by County, as of May 23, 2018

County	Number of Offenders	Number Compliant	Number Noncompliant	Percent Noncompliant
Pike	41	40	1	2.4%
Platte	120	108	12	10.0%
Polk	98	96	2	2.0%
Pulaski	96	95	1	1.0%
Putnam	15	14	1	6.7%
Ralls	28	27	1	3.6%
Randolph	129	125	4	3.1%
Ray	74	67	7	9.5%
Reynolds	21	20	1	4.8%
Ripley	51	49	2	3.9%
St. Charles	377	371	6	1.6%
St. Clair	32	31	1	3.1%
St. Francois	301	292	9	3.0%
St. Louis	1,613	1,596	17	1.1%
Ste. Genevieve	48	47	1	2.1%
Saline	94	94	0	0.0%
Schuyler	15	15	0	0.0%
Scotland	6	6	0	0.0%
Scott	151	139	12	7.9%
Shannon	26	24	2	7.7%
Shelby	27	25	2	7.4%
Stoddard	115	86	29	25.2%
Stone	105	102	3	2.9%
Sullivan	26	25	1	3.8%
Taney	172	164	8	4.7%
Texas	76	69	7	9.2%
Vernon	75	72	3	4.0%
Warren	85	83	2	2.4%
Washington	104	96	8	7.7%
Wayne	51	46	5	9.8%
Webster	119	103	16	13.4%
Worth	5	5	0	0.0%
Wright	70	68	2	2.9%
St. Louis City	1,265	1,021	244	19.3%
Totals	15,622	14,419	1,203	7.7%